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SITUATION OF HUMAN RIGHTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA

Written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, a non-Governmental organization in consultative status (category II)

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[23 February 1993]

The international community should strike with the full force of law to put an end to the tragedy and horrors that continue to unfold in Bosnia-Herzegovina. As if mass rape, murder, starvation, sniping at civilians, hindrances to humanitarian aid, defiance of the United Nations and all the other horrors which the Bosnian Serbs and their allies in Belgrade are perpetrating were not enough, Bosnia's Deputy Prime Minister H. Turajlic was killed in Sarajevo in January of this year minutes after a meeting with Turkey's Minister of State, who had gone there on a fact-finding mission to determine humanitarian aid needs.

All Serbian actions prove a policy of ethnic cleansing whose purpose is to change borders and settlement patterns in Bosnia-Herzegovina. There is now outrage but little action to stop that. Neither individual Governments nor international bodies could, so far, produce a quick plan of action. There is a general lack of willingness to mount and sustain a major military intervention. The Serbs are counting on keeping what they have taken by force. The big losers will be the Bosnian Muslims, who are now in the bitter role of "Europe's Palestinians".

The most fundamental of all rights of man is the right to life. The State of Serbia attacked and seized the territory of another, violating the right to life of the individuals living there. No change of borders may be accepted. Serbia planned and executed a war of aggression, accompanied by crimes against humanity. According to international law, the killings, torture, rape and expulsion of entire peoples are crimes, whose perpetrators should be punished. EAFORD demands that instances and the identities of those responsible be established without delay. Already, there are witness accounts as proof of mass murders of civilians and mass graves.

The lives of hundred-thousands of people are in danger. Large groups of people are stranded without food and fuel. They depend on outside aid. Soon, they may also be lost on account of hunger, cold, gunfire, beatings and gang rapes. Some Serbian officers are even punishing local Serbian guards for showing some leniency toward the victims. The camp at Omarska has acquired a particular notoriety in this respect. Accounts describe how Serbs would capture towns, such as Visegrad or Sanski Most, and then drive out the Muslim civilians killing most of the men in a sadistic fashion and forcing the others to sign documents saying that they are leaving "voluntarily". Mosques everywhere are systematically destroyed.

Serbs are engaged in a deliberate cruelty for definite political end.

But perhaps there is a longer need to dwell in length on these appalling crimes. We should concentrate more on the responsibility of the outside world. Article 51 of the United Nations Charter is very clear: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations ..." This international organization has to discharge its duty. The "inherent right" of Bosnia is fully operative. We cannot justify an embargo against Bosnia, and also against Croatia, not to buy or receive weapons. They are facing an aggressor, who can continue this armed attack for years to come.

But responsibility not only lies with the Government and the armed forces of Serbia. All Governments which have aided and abetted war crimes are also guilty of "non-assistance" to the victim. EAFORD warns, not only the high officials of Serbia and those individual Serbs who perpetrate these crimes, but also the Western Governments who have the means to assist the victims and frustrate these monstrous crimes, but which do nothing or little in this respect.